

**§ 183.55 Limitations.**

(a) If any change occurs that may affect an ODA Unit's qualifications or ability to perform a function (such as a change in the location of facilities, resources, personnel or the organizational structure), no Unit member may perform that function until the Administrator is notified of the change, and the change is approved and appropriately documented as required by the procedures manual.

(b) No ODA Unit member may issue a certificate, authorization, or other approval until any findings reserved for the Administrator have been made.

(c) An ODA Holder is subject to any other limitations as specified by the Administrator.

**§ 183.57 Responsibilities of an ODA Holder.**

The ODA Holder must—

(a) Comply with the procedures contained in its approved procedures manual;

(b) Give ODA Unit members sufficient authority to perform the authorized functions;

(c) Ensure that no conflicting non-ODA Unit duties or other interference affects the performance of authorized functions by ODA Unit members.

(d) Cooperate with the Administrator in his performance of oversight of the ODA Holder and the ODA Unit.

(e) Notify the Administrator of any change that could affect the ODA Holder's ability to continue to meet the requirements of this part within 48 hours of the change occurring.

**§ 183.59 Inspection.**

The Administrator, at any time and for any reason, may inspect an ODA Holder's or applicant's facilities, products, components, parts, appliances, procedures, operations, and records associated with the authorized or requested functions.

**§ 183.61 Records and reports.**

(a) Each ODA Holder must ensure that the following records are maintained for the duration of the authorization:

(1) [Reserved]

(2) For any approval or certificate issued by an ODA Unit member (except

those airworthiness certificates and approvals not issued in support of type design approval projects):

(i) The application and data required to be submitted under this chapter to obtain the certificate or approval; and

(ii) The data and records documenting the ODA Unit member's approval or determination of compliance.

(3) A list of the products, components, parts, or appliances for which ODA Unit members have issued a certificate or approval.

(4) The names, responsibilities, qualifications and example signature of each member of the ODA Unit who performs an authorized function.

(5) A copy of each manual approved or accepted by the ODA Unit, including all historical changes.

(6) Training records for ODA Unit members and ODA administrators.

(7) Any other records specified in the ODA Holder's procedures manual.

(8) The procedures manual required under § 183.53 of this part, including all changes.

(b) Each ODA Holder must ensure that the following are maintained for five years:

(1) A record of each periodic audit and any corrective actions resulting from them; and

(2) A record of any reported service difficulties associated with approvals or certificates issued by an ODA Unit member.

(c) For airworthiness certificates and approvals not issued in support of a type design approval project, each ODA Holder must ensure the following are maintained for two years:

(1) The application and data required to be submitted under this chapter to obtain the certificate or approval; and

(2) The data and records documenting the ODA Unit member's approval or determination of compliance.

(d) For all records required by this section to be maintained, each ODA Holder must:

(1) Ensure that the records and data are available to the Administrator for inspection at any time;

(2) Submit all records and data to the Administrator upon surrender or termination of the authorization.

(e) Each ODA Holder must compile and submit any report required by the

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Administrator to exercise his supervision of the ODA Holder.

[Doc. No. FAA-2003-16685, 70 FR 59947, Oct. 13, 2005, as amended by Amdt. 183-14, 76 FR 8893, Feb. 16, 2011]

#### **§ 183.63 Continuing requirements: Products, parts or appliances.**

For any approval or certificate for a product, part or appliance issued under the authority of this subpart, an ODA Holder must:

(a) Monitor reported service problems related to certificates or approvals it holds;

(b) Notify the Administrator of:

(1) A condition in a product, part or appliance that could result in a finding of unsafe condition by the Administrator; or

(2) A product, part or appliance not meeting the applicable airworthiness requirements for which the ODA Holder has obtained or issued a certificate or approval.

(c) Investigate any suspected unsafe condition or finding of noncompliance with the airworthiness requirements for any product, part or appliance, as required by the Administrator, and report to the Administrator the results of the investigation and any action taken or proposed.

(d) Submit to the Administrator the information necessary to implement corrective action needed for safe operation of the product, part or appliance.

[Doc. No. FAA-2003-16685, 70 FR 59947, Oct. 13, 2005, as amended by Amdt. 183-14, 76 FR 8893, Feb. 16, 2011]

#### **§ 183.65 Continuing requirements: Operational approvals.**

For any operational authorization, airman certificate, air carrier certificate, air operator certificate, or air agency certificate issued under the authority of this subpart, an ODA Holder must:

(a) Notify the Administrator of any error that the ODA Holder finds it made in issuing an authorization or certificate;

(b) Notify the Administrator of any authorization or certificate that the ODA Holder finds it issued to an applicant not meeting the applicable requirements;

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(c) When required by the Administrator, investigate any problem concerning the issuance of an authorization or certificate; and

(d) When notified by the Administrator, suspend issuance of similar authorizations or certificates until the ODA Holder implements all corrective action required by the Administrator.

#### **§ 183.67 Transferability and duration.**

(a) An ODA is effective until the date shown on the Letter of Designation, unless sooner terminated by the Administrator.

(b) No ODA may be transferred at any time.

(c) The Administrator may terminate or temporarily suspend an ODA for any reason, including that the ODA Holder:

(1) Has requested in writing that the authorization be suspended or terminated;

(2) Has not properly performed its duties;

(3) Is no longer needed; or

(4) No longer meets the qualifications required to perform authorized functions.

### **PART 185—TESTIMONY BY EMPLOYEES AND PRODUCTION OF RECORDS IN LEGAL PROCEEDINGS, AND SERVICE OF LEGAL PROCESS AND PLEADINGS**

Sec.

185.1 Purpose.

185.3 Acceptance of service on behalf of the Secretary of Transportation or the Administrator.

185.5 Testimony by employees and production of records in legal proceedings.

AUTHORITY: 49 U.S.C. 106(g), 40113-40114, 46104; 49 CFR part 9.

SOURCE: Docket No. 9900, 34 FR 16622, Oct. 17, 1969, unless otherwise noted.

#### **§ 185.1 Purpose.**

(a) The purpose of this part is to name the FAA officials who, pursuant to part 9 of the regulations of the Office of the Secretary of Transportation (49 CFR part 9) as amended (34 FR 11972, July 16, 1969), are those:

(1) Upon whom legal process or pleadings may be served in any legal proceeding concerning the FAA, and who